

To: office of the clerk
U.S. District Court House
228 Walnut St. P.O. Box 983
Harrisburg, Pa. 17108
Certified Mail 7003-2260-0002-6445-6193

James Williams
AY-8692
175 Progress Dr
Waynesburg, Pa 15370

December 13, 2004

Correspondent

RE: Williams vs Spaide
Civil No# 1:CV-01-0280

Dear Clerk;

Enclose please find one (1) original only of;
A) Plaintiff's Reply in opposition to Defendant's statement of Material facts.
B) Brief in opposition to Defendant's motion for Summary Judgment and;
C) Appendix Exhibits "A thru J" for Plaintiff's statement of ~~matter~~ material facts and Summary Judgment.
Due date December 19, 2004

2. Plaintiff's have not mailed Linda S. Lloyd, Deputy Attorney General any copies, because S.C.G. Greene staff declined to follow their own policy on Request for photo copy of Confidential materials. which states photo copies of Confidential materials will be picked-up between 11:30 AM and 1:30 PM once copies have been made etc. will be distributed directly to you. (see attached Memo dated January 10, 2000)

3. On October 7, 2004, Plaintiff sent law library staff request slip requesting to have his Confidential legal materials picked-up and photo copied (Plaintiff Brief)

Law library staff responded October 12, 04. telling Plaintiff's to hand his legal Brief to the guards? or place it in the mail? (See attached Request-slip dated 10.7.04)
 This is not established D.O.C. policy for photo copying procedures.

Plaintiff's legal materials have gotten lost before through this procedure back in 1999 nobody claimed responsibility and those documents was never replaced.

4. As a result to this controversy Plaintiff's filed Grievance # 98655. which grievance officer School Principal response was: "there is no policy to cover your assertion that someone must personally hand you legal copies."

(See attached Grievance 98655 response dated Oct 21, 04)

This is the main reason listed above why Plaintiff had to Request two (2) Enlargement of time to file Brief. unfortunately, grievance is still pending at central office and have not been resolved yet.

5. Plaintiff's will not be able to meet December 19, 2004. dead-line if he wait for central office reply.

(b) Plaintiff's Request this Court if possible to forward Linda S. Lloyd (D.A.G.) copies of Brief and attachment, in the interest of justice or allow him time to file motion for such request.

6. S.C.J. Greene also decline to allow Plaintiff to use the ~~stapler~~ stapler for his legal Brief. while housed inside the R-H.U. while he's within his cell.

(See attached Grievance #98468 and Reply dated Oct 15, 04)

Therefore, the clerk of Courts should accept Plaintiff's Brief with attachment without being stapled one copy, which Plaintiff's has no control over and forward Defendant's Linda Lloyd (DAG) their copy. (In essence Plaintiff's being harassed.)

I'll await your Reply.

Truly yours,
 James E. Williams

(2)

pro-se

W. Allen
R-78692
EB 10

ATTENTION

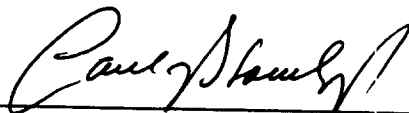
Effective January 10, 2000 there will be a change in the system by which you submit requests to the main law library for cases, photocopies, inter-library loans, and legal packets. Requests for legal cases are to be forwarded through institution mail to the main library. Once the cases are copied, they will be returned to you in large envelopes via institutional mail. Remember, these are copies of published legal cases and are **NOT** considered personal or confidential. You should reuse the large envelopes to return your cases to the library by institution mail.

R-78692
L-5 →
Requests for photocopies of confidential materials, inter-library loan requests, and legal packets will be collected by the Unit Manager prior to the Tuesday and Thursday legal distribution and pick-up time schedule between 11:30 AM and 1:30 PM. Photocopy requests should have a signed cash slip attached with clear instructions as to how many copies of each page of material is needed. Once the copies have been made, a staff member from the Education Department will deliver these photocopies to the Unit Managers. The Unit Managers will distribute the copies directly to you. All requests for legal packets and inter-library loan photocopies will also be mailed to you in envelopes via institution mail.

Again use the envelope to make your returns.

If you have questions, write to Ms. Turner in the main library.

PLEASE DISTRIBUTE TO ALL RHU INMATES



Paul J. Stowitzky
Deputy Superintendent
For Centralized Services

Sept

Lubacy

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) MS. SEBECK LAW LIBRARIAN		2. Date: OCT 7, 2004	
3. By: (Print Inmate Name and Number) JAMES WILLIAMS AY-8692 <u>James Williams</u> Inmate Signature		4. Counselor's Name	
6. Work Assignment		5. Unit Manager's Name	
		7. Housing Assignment G-D12	
8. Subject: State your request completely but briefly. Give details. I'm in need of having some legal documents photo copied on your next visit. stop at cell. Thank you. J.W.			
9. Response: (This Section for Staff Response Only)			
Give it to your CO or put it in the mail.			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name

Print

J Higgins

Sign

Date

10/12/04

DC-ADM 804, Inmate Grievance System

DC-804

Part 2

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598**

OFFICIAL INMATE GRIEVANCE
INITIAL REVIEW RESPONSE

CAMP HILL, PA 17001

GRIEVANCE NO. 98655

TO: (Inmate Name & DC No.)	FACILITY	HOUSING LOCATION	GRIEVANCE DATE
Williams, James AY 8692	SCI-GRN	GD 12	10-12-04

The following is a summary of my findings regarding your grievance:

Grievance number 98655, submitted on October 12, 2004 was sent to me for investigation. I have reviewed the information and respond to your issues after discussion and review with the librarian.

There is no policy to cover your assertion that someone from the library must personally collect request slips or personally hand you legal copies. Mail that is addressed to you is delivered by the officer, as you state. A recent memo from the library and Captain Graineey dated October 4, 2004 explains this procedure.

Please note that to ensure timely response to receiving your papers, you should submit them in advance of the due date because the library makes and delivers hundreds of copies on their twice-weekly schedule. The library is not collecting and delivering on demand, but on a schedule, and they are not required to personally pick up mail, although they will take something (that is ready to go) from someone who receives a delivery. You can submit requests every day through the mail. Items are received daily, and returned on Tuesday and Thursday afternoons.

This grievance is resolved with no further action needed.

cc: Deputy Area
Grievance Coordinator
DC-15
File

Print Name and Title of Grievance Officer	SIGNATURE OF GRIEVANCE OFFICER	DATE
Catherine L. Morelli		10-21-04
Corrections School Principal		

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

98460
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Don Davis</i>	FACILITY: <i>S.C.I. Greene</i>	DATE: <i>Oct 7, 2004</i>
FROM: (INMATE NAME & NUMBER) <i>James Williams - NY 8692</i>	SIGNATURE of INMATE: <i>James Williams</i>	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT: <i>G-10-12</i>	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.

There's no policies on ~~the~~ G-block that states 2 to 10 shift staff can not allow inmates to use staple for their legal mail. On October 7, 2004 I rec'd legal package that needed quick response. When I requested that 10 shift 2 to 10 shift had me a staple he stated NO! I then asked him who his superior was the staple. There was no response he left the A.D. 8:45 pm. I'm not here to deal with his attitude problem my request was reasonable.

B. List actions taken and staff you have contacted, before submitting this grievance.

Requested to see Sgt. 10 No Avail. denied by C/O Sgt.

Also in the morning 6 to 2 staff porter inmates to have their mail ready for pickup after Tray they

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Don Davis

Signature of Facility Grievance Coordinator

10/12/04

Date

WHITE - Facility Grievance Coordinator Copy CANARY - File Copy PINK - Action Return Copy GOLDENROD - Inmate Copy

Revised
December 2000

DC-804
Part 2COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001OFFICIAL INMATE GRIEVANCE
INITIAL REVIEW RESPONSE

GRIEVANCE NO.

98460

TO: (Inmate Name & DC No.)	FACILITY	HOUSING LOCATION	GRIEVANCE DATE
Williams, James AY-8692	SCI Greene	GD-12	October 12, 2004

The following is a summary of my findings regarding your grievance:

In the body of your grievance, your complaint is staff will not provide you with the stapler at your cell.

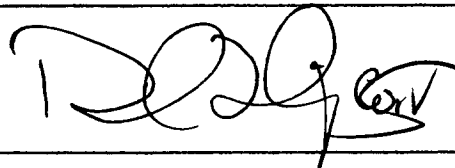
I will rephrase the first sentence you wrote in your grievance and state there is no policy that allows staff or states staff must bring the stapler to your cell.

Your grievance is denied.

DG/dlg

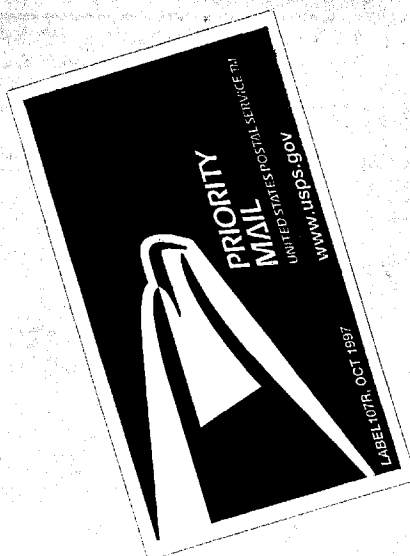
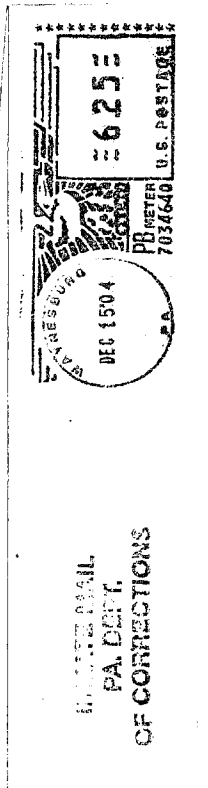
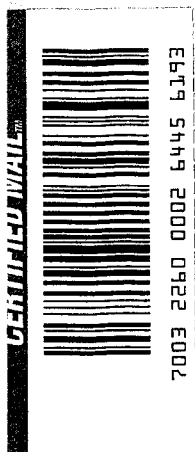
cc: Deputies
Grievance Coordinator
DC-15 Records file
file

David L. Grainey
RHU Captain



October 15, 2004

James Williams
AY-8692
175 Progress Dr
Waynesburg, Pa. 15370



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